

## **REMARKS/ARGUMENTS**

These remarks are in response to the Final Office Action dated July 29, 2005.

Claims 1-3, 6-15, 18-27 and 30-36 are pending in the present application.

### **Finality of Office Action**

Applicants respectfully object to the finality of the office action. According to the Final Office Action, the Examiner states that "Applicant's amendment necessitated the new ground(s) of rejection presented in this Office Action. Accordingly, THIS ACTION IS MADE FINAL." The Applicant's amendment in the previous response, however was merely to incorporate the limitations of existing claims (verbatim) into the independent claims. For example, claim 1 was amended to incorporate the limitations of claims 4 and 5. Accordingly, Applicant respectfully submits that because the claim amendments consisted only of combining *existing claims*, the present office action should not be a Final Office Action. As such, Applicant requests that the finality of the office action be withdrawn, and that the office action be treated as a non-final office action.

### **Claim Rejections**

Claims 1-3, 13-15 and 25-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Friedman (U.S. Patent No. 5,499,294) in view of Squilla et al. (U.S. Patent No. 5,898,779) and further in view of Steinberg (U.S. Patent App. Pub. No. 2002/0041329). In rejecting claims 1, 13 and 25, the Examiner stated:

**9. Friedman does not disclose that the user related information is associated to the digital signature. Friedman only associates a digital image with a particular camera. It would be advantageous if the user who took the digital image were also associated with the digital image.**

**10. Squilla discloses a photographer's information may be included for subsequent authentication along with the image and that the photographer's information is stored within the image hash in the digital signature (column 5, line 60 to column 6, line 5).**

11. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teaching of Squilla within the system of Friedman because it would allow the system to be able to authenticate a digital image with both the camera that was used to take the image and the person who took the image.

12. Squilla teaches entering the user information to associate the user's identity with the captured image. Friedman and Squilla do not teach wherein the information is entered utilizing a radio frequency interface.

13. Steinberg discloses wherein the information is entered utilizing a radio frequency interface (Figures 1 [block 16], 7 [block 16], page 2, paragraphs [0033], [0038]).

14. It would have been obvious to one of ordinary skill in the art at the time the invention was made to enter the information by using a radio frequency interface, since Steinberg states at page 2, paragraph [0037] that such a modification would allow the user to associate personal information with the camera. This is further supported that at the time the invention was made it was well-known practice to enter user information to a portable device using a wireless communication link as seen by claim 11 of U.S. Patent Application Publication No. 2002/0073000.

Applicant respectfully disagrees.

Independent claims 1, 13, and 26 recite utilizing a radio frequency interface to associate the user's identity with the captured image. Applicant agrees with the Examiner that Friedman and Squilla are silent in disclosing this recitation. Applicant further surmises that although Steinberg discloses that the "mode of communication is through a radio frequency connection, facilitated in the camera by a transceiver as evidenced by antenna 16," at paragraph [0033], Steinberg nowhere teaches or suggests utilizing a radio frequency interface to associate the user's identity with the captured image as recited in the claims.

Steinberg discloses a camera that includes a transceiver (FIG. 1, block 16) for transmitting and receiving via the radio frequency connection messages from a remote message center at paragraph [0037]. Accordingly, the combination of Steinberg with the other cited references would disclose a digital camera which includes a method for downloading from a message center a password for authentication via the radio frequency

connection. This is clearly different from the invention as recited in the independent claims.

Accordingly, the cited references neither teach or suggest either singly or in combination, the invention as recited in independent Claims 1, 13 and 25. Furthermore, claims 2, 3, 6-12, 14, 15, 18-24, 26, 27 and 30-36 are allowable because they depend from allowable base claims.

In view of the foregoing, Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,  
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Date

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